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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/474,138	12/29/1999	ERIK L. SMITH	2685/5393	1912
23838	7590	05/07/2004	EXAMINER	
KENYON & KENYON 1500 K STREET, N.W., SUITE 700 WASHINGTON, DC 20005			NGUYEN, QUYNH H	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 05/07/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/474,138

Applicant(s)

SMITH, ERIK L.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 2/20/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,13,14,18,23,25-28 and 30-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,13,14,18,23,25-28 and 30-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 1, 13, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartmaier et al. (U.S. Patent 5,978,672).

Regarding claim 1, Hartmaier et al. teach a method for forwarding an incoming call addressed to one of a plurality of Directory Numbers belonging to a subscriber, the plurality of Directory numbers being associated with an integrated system adapted to service both fixed-site devices and mobility devices including: receiving an incoming call at one of a number corresponding to a fixed-site device (Fig. 6, "office telephone 606") or a number corresponding to a mobility device ("mobile telephone 601") belonging to the subscriber, wherein a call to the number corresponding to the fixed-site device is received via a switch of the Public Switched Telephone Network that communicates with a Mobile Service Center (MSC) coupled to a mobility network (Fig. 1 and col. 7, lines 60-63 and col. 14, lines 2-3); determining that a busy/no-answer ("busy/inactive") condition exists for the device corresponding to the number at which the incoming call is received; the MSC coupled to a Home Location Register (Fig. 1, via DTP 103); consult a call forward setting (col. 16, Table 2); and based upon the call forward setting performing one of routing the incoming call to the mobility device ("wireless 601") if the busy/no answer condition exists for the fixed-site device ("wire line telephone"), or to the

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fixed-sited device, mobility device, or to voice mail (col. 13, line 8 through col. 14, line 40).

Hartmaier et al. do not explicitly suggest the Home Location Register (HLR) having a database including a plurality of values for subscriber call forward settings.

However, Hartmaier et al. further teach callers can dial either the office number or the mobile number and be routed as outlined in Table 2 (col. 13, lines 12-13). Therefore, it would have been obvious that the SCP 102 manages applications such as the HLR having a database that stores user profiles, and the call to a wire line through PSTN 104 also sharing the common database.

Claims 13 and 18 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Hartmaier et al. teach a medium/memory coupled to processor for storing instructions (SCP 102, 202) adapted to be executed by a processor (SMS 106 or SP processor 211, 311).

3. Claims 2 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartmaier et al. (U.S. Patent 6,301,474) in view of Harlow et al. (U.S. Patent 5,206,901).

Regarding claims 2 and 14, Hartmaier et al. do not teach the switch is a Class 5 Switch.

Harlow et al. teach the call forwarding is received at a Class 5 Switch associated with the subscriber's fixed-site telephone (col. 5, lines 61-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of performing a call forwarding at a Class 5 Switch, as taught by Harlow et al., in Hartmaier's system in order to have a variety of

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landline switching. The use of an available and known switch would have been obvious.

4. Claims 23, 25-28, and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Creamer et al. (U.S. Patent 6,028,917) in view of Hartmaier et al. (U.S. Patent 6,301,474).

Regarding claim 23, 25, and 30, Creamer et al. teach a system that utilizes computers link through the Internet or web ("browser-capable" - Fig. 1, 6) to modify parameters of telephone service. For example, parameters of a standard service such as call forwarding by an authorized end user (col. 2, lines 46-64 and col. 4, lines 54-63).

Creamer et al. do not directly teach a subscriber profile in a HLR, but rather the user base accounts in the PSTN, interface the respective node to a network external to the PSTN, i.e., the web, Internet, satellite radio system, etc.

Hartmaier et al. teach the HLR stores user profiles (col. 7, line 54 through col. 8, line 5 and col. 10, line 34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of updating the subscriber profile in a HLR, as taught by Hartmaier, in Creamer's system in order to allow updating the call forward setting from a subscriber in both wire line and wireless networks environments.

Regarding claims 26 and 27, Creamer et al. teach the user device is a personal computer (computer 16), a mobility device, i.e. laptop.

Claim 28 is rejected for the same reasons as discussed above with respect to claim 23. Furthermore, Creamer et al. teach voice peripheral computers and other

computers are components of intelligent peripheral systems within resource management networks constructed in accordance with the AIN architecture are adapted/program to be executed by a processor (col. 6, lines 22-43).

Claims 31 and 32 are rejected for the same reasons as discussed above with respect to claims 23 and 25.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 2, 13, 14, 18, 23, 25-28, and 30-32 have been considered but are moot in view of the new ground(s) of rejection. Applicants' arguments are addressed in the above claims rejections.

Applicant argues that Creamer is concerned with updating service options of the PSTN; and that nothing in Creamer provides any suggestion or motivation for a subscriber profile in an HLR of a mobility system. Examiner respectfully disagrees.

Creamer et al. teach a system that utilizes computers link through the Internet or web ("browser-capable" - Fig. 1, 6) to modify/update parameters of telephone services in users' base accounts in the PSTN and interface with the respective node to a network external to the PSTN such as the web, Internet, satellite radio system, etc. (col. 4, lines 54-63). Hartmaier et al. teach the SMS 106 provides the ability to create new services by providing an easy interface to the applications on SCP 102 that manages the HLR 102 stores user profiles (col. 7, line 54 through col. 8, line 5). Furthermore, it would have been obvious to one of ordinary skill in the art to modify Creamer's system to update subscriber profile in an HLR of a mobility system.

Conclusion

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. O'Neil et al. (U.S. Patent 5,963,864) teach a method and system for automatically connecting telephone calls to multiple devices having different directory numbers.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
April 29, 2004


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600